



REGULAR MEETING MINUTES

**Wednesday, November 13, 2013
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 PM

Case Review Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	✓	✓	✓	✓	S	✓	✓	✓

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early **■** = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

This is an opportunity for members of the public to address the Commission on closed session items.

There were no public comments regarding closed session items.

Closed Session – Case Review

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:45 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	13-012	PC-13-04020
2)	13-028	PC-13-07044

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

Audio for the following proceedings is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	✓	✓	✓	✓	✓	✓	O	✓

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Public comment on any subject matter within the Commission's jurisdiction.

Ward 6 Councilman Jim Perry began by thanking the commissioners for their time serving on this commission. He then specifically recognized Commissioner Maciel, saying that he wanted to personally thank her for her time and commitment in serving on this commission.

Thank You' Presentation

'Thank You' to Commissioner Eve Maciel for her service to the City of Riverside as a CPRC Commissioner in 2013.

Mr. Hauptmann said he was once again standing before the Commission because one of the commissioners was leaving. He noted the service that Commissioner Maciel had given during her time with the Commission and that she would be missed.

Commissioner Maciel thanked everyone for the opportunity to work with them and the knowledge she gained of the community and the Riverside Police Department.

Commissioner Rotker said he had been privileged to serve with Commissioner Maciel, noting that she worked very diligently on the various cases that had been reviewed during her time with the Commission. He also said that in his time with the Commission, Councilman Perry was the first councilperson to attend a CPRC meeting when a commissioner was leaving and thanked him for attending. Commissioner Rotker said he hoped this would serve as an example to other councilmembers.

Rationale Worksheets for Officer-Involved Death Case Evaluations

Discussion and action, if any, regarding

- A)** the purpose of the commissioners' rationale worksheets, and
- B)** whether or not the worksheets should be posted on the CPRC website.

Chairwoman Roberts:

- said there had been Commission discussion regarding the purpose of the rationale worksheets that were completed by each commissioner.
- said that it was noted in these discussions that the worksheets were intended to be used as notes for Commission meeting discussions and then given to Mr. Hauptmann to use when drafting the public report.

- noted that there had also been discussion about whether or not these notes should be posted on the CPRC website or if the public report should be the only document that is made available online.
- then opened the item for discussion.

Commissioner Rotker:

- said that the rationales were meant to be an internal working document to be used to help with a case.
- said that the Commission should speak with one voice regarding OIDs.
- noted that if there was an exception to the majority, a minority report could be written.
- said that when the Commission votes on a finding, the manner by which each commissioner arrived at their decision is known to them alone.
- said that if commissioners wanted their thoughts made public, they could give that information to the Press-Enterprise or post it on a blog.
- said that transparency means an open meeting and if the public wants to know how a commissioner feels, audio of the CPRC meetings is available on the CPRC website.
- felt that the public posting of the worksheets would stifle what and how much commissioners would write.
- noted that the City Council has notes, but that those notes aren't published.
- said he felt it would be a serious mistake for the rationale worksheets to be made available to the public on the CPRC website.

Commissioner Adams:

- said she disagreed.
- said that the public has the right to know what each commissioner says.
- said that if the purpose of the rationale was to prepare for discussion use as notes for the public report, it should be written before discussion begins.
- noted that she, Chairwoman Roberts, and Mr. Hauptmann had met with Mr. Priamos that afternoon and he had said that spoken as well as written words are subject to subpoena.
- said that audio isn't always available as some commissioners may not comment on a topic so public posting of the rationales would let the public know each commissioner thoughts.
- noted that she had asked Mr. Priamos about being subpoenaed and he had said commissioners could be subpoenaed because of what they say, not just what is written, and that she felt concerns over being subpoenaed were not valid.
- said she felt the rationales should be made available on the public website.

Commissioner Ortiz:

- said he was adamantly opposed to the rationales being posted publicly.
- said it was his understanding that it was to be used as a deliberation tool.
- said there were times when his initial thought changed after discussion and that he didn't want to be accountable for those preliminary thoughts.
- felt that, if subpoenaed, the rationales could be taken out of context and used against the Commission.
- said he could be persuaded to begin using them earlier in the evaluation process.
- said that if there was a differing of opinions, there was a procedure in place to handle that.

Chairwoman Roberts:

- agreed with Commissioner Ortiz.
- said that the commissioners' approval of the public report represents their spoken comments.
- said that Mr. Priamos had told them that the rationales could be subpoenaed if they were posted publicly.

Commissioner Adams:

- said that, based on Commissioner Ortiz' comments, the rationale should be used earlier in a case evaluation rather than at the end of deliberation.
- said that if it were used earlier in the process, she would agree that the rationale should not be a public document, but it is currently used after deliberation is over.
- felt that the rationales should be publicly posted because they represent commissioners' final thoughts,

not their initial thoughts.

- noted that if the rationale is meant to be used as a deliberation tool, it should be prepared earlier.

Mr. Hauptmann:

- said that whatever was decided was up to the Commission.
- said that he had created the rationale worksheet for commissioners to use during the deliberation process as a note-taking tool.
- also said that they would ultimately be used to prepare public report.
- said that his initial intent when he created the worksheet was for the commissioners to have something to use during the deliberation process.

Commissioner Hawkins:

- agreed with other commissioners that the document is useful.
- asked if this was something that should be added to the CPRC Policies & Procedures, regardless of the Commission's decision.

Chairwoman Roberts:

- said that it would go in the Policies & Procedures after a decision was made.

Commissioner Rotker:

- said it should also be noted for the record that this topic had been discussed with the City Attorney and that he had recommended that the rationales not be publicly posted as it could be potentially injurious to the Commission.
- suggested that the Commission abide by the City Attorney's recommendation.

Chairwoman Roberts:

- clarified Mr. Priamos' comments in that he had said that posting each commissioner's worksheet on the secure page could be a violation of the Brown Act.
- also said that Mr. Priamos then provided the pros and cons of publicly posting the worksheets.

Commissioner Rotker:

- said he felt that Mr. Priamos was suggesting that the Commission decide against posting the rationale worksheets on the CPRC public website.

Chairwoman Roberts:

- disagreed with Commissioner Rotker.
- said that Mr. Priamos had given them the pros and cons, but said that it was the Commission's decision whether or not to make them publicly available online.

Commissioner Ortiz:

- said that he found the rationales and deadlines were very useful and motivated him to address the various tasks in a timely manner during the deliberative process.
- also said that he felt concerned that an attorney could use his initial thoughts against him.

Mr. Hauptmann:

- said that the only time something like this would be included in the Policies & Procedures is if there was a vote to make it an official-type document.
- said that the rationale documents are the commissioners' personal notes which will eventually be given to him to use when he drafts the public report.
- said that Mr. Priamos said that it was up to the Commission to decide if they wanted it to be a public document.
- also said that the individual documents should not be posted on the secure page.
- noted that Mr. Priamos had also given him the pros and cons of making the worksheets public documents.
- said it would be like having a commissioner's notes considered a public document.

Commissioner Adams:

- said she had asked Mr. Priamos if comments made during a CPRC meeting were subject to subpoena and that Mr. Priamos had said spoken, as well as written words, are subject to subpoena.
- noted that a commissioner's comments made during verbal deliberation can subject a commissioner to subpoena just as much as their written comments.

Commissioner Maciel:

- said she strongly opposed posting the worksheets on the CPRC website, noting that it could cause problems that had not previously existed.
- said that she saw no benefit to posting them publicly.
- felt that it could split the Commission.

Commissioner Taylor:

- said he would have liked to have been present at the meeting with Mr. Priamos so that he could have personally heard Mr. Priamos' comments and asked him questions directly.
- noted that the Commission had discussed this topic several times.
- said he was not in favor of posting the worksheet notes on the public website.
- said he was also in favor of beginning this process much sooner than is the current practice.

Chairwoman Roberts:

- said that Mr. Priamos had told them he would be willing to speak to the Commission on this issue.
- also said that the Commission could make a decision on whether or not to start the process sooner when voting on the purpose of the rationale worksheet.

Commissioner Maciel:

- suggested that Mr. Priamos speak to the Commission about it at a future meeting.

Commissioner Ybarra:

- said that the deliberative process is a fluid process in which opinions can and do change.
- said he didn't believe the notes should be publicly available.
- said that if a commissioner felt very strongly about something, the minority report was available.

Commissioner Rotker:

- said that Commissioner Taylor had raised a good point about hearing from Mr. Priamos.
- said he wanted to make a narrow recommendation regarding one part of the agenda item tonight and leave the rest for discussion at a future meeting.
- asked if it would be possible to do that.

Chairwoman Roberts:

- asked Commissioner Taylor if his mind would be changed if Mr. Priamos spoke to the Commission on this issue.

Commissioner Taylor:

- said it would not change his mind.
- noted that his other concern was not being able to personally ask Mr. Priamos any questions he might have had.

Chairwoman Roberts:

- said that the Commission could address both concerns noted in this agenda item, but that Mr. Priamos could also be invited to a future meeting to discuss the topic.

Mr. Hauptmann:

- said that Mr. Priamos has an open door policy for the commissioners.
- said that Mr. Priamos told him to encourage commissioners to call him with any questions they might have.

Commissioner Hawkins:

- asked if it would be possible for Mr. Priamos to discuss issues with the Commission in a closed session meeting?

Chairwoman Roberts:

- said no, that any discussion would be in open session.
- asked if anyone wanted to make a motion on the items under discussion.

Commissioner Rotker made the following motion for Item 12B:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That OID rationales not be posted on the CPRC public website	Rotker	Hawkins	Unanimous	0	0

Commissioner Ortiz made the following motion for Item 12A:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the rationale be used for deliberative purposes only	Ortiz	Adams	Unanimous	0	0

At 6:11 PM, Commissioner Rotker left the meeting to staff the CPRC table at the Mayor's Night Out event.

Public Comments (Reopened)

Christina Duran said the RCPA and several other community groups would be hosting a meeting regarding law enforcement and the mentally ill. It would be held on November 18th at 6:30 PM in the César Chavez Community Center at Bobby Bonds Park.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) September Regular Meeting	Ortiz	Taylor	Hawkins, Ybarra, Taylor, Ortiz, Roberts,	0	Maciel Adams

Outreach

A) November Outreach

Commissioner Adams:

- November 10: Mission Inn Run 5K

Commissioner Ybarra:

- November 11: Anderson Copeland Memorial Veterans Recognition Luncheon

Commissioner Maciel:

- October 21: Dr. Thompson's Community Relations class

Commissioner Taylor:

- November 10: Mission Inn Run 5K

Commissioner Ortiz:

- November 10: Mission Inn Run 5K

Chairwoman Roberts:

- November 11: Anderson Copeland Memorial Veterans Recognition Luncheon

B) Upcoming Outreach Events and Opportunities

- 1) CIONO Annual Thanksgiving Give-Away
November 18 at 10 AM, 4053 Chestnut Street, Chestnut House B
- 2) Lunar Fest 2014 – January 25, 2014 at 10 AM
- 3) Black History Parade and Expo – February 8, 2014 at 10 AM

Chairwoman Roberts:

- asked Staff to check on cost to have a table at the Lunar Fest.
- instructed Staff to apply for a table at the Black History Parade and Expo.

C) Future Outreach Opportunities

- 1) Input from Outreach Coordinator on upcoming outreach events
- 2) Input from Commission Members on potential outreach events

Commissioner Adams:

- noted that she had spoken with Chairwoman Roberts about the Commission making presentations in civics classes at city high schools.
- said she had made contact with the Mayor's Office on this topic, but had not yet been able to connect with Maureen (Kane).

Chairwoman Roberts:

- advised that work is still being done to get the NACOLE Conference in Riverside in 2015.
- said that the Convention Center Grand Opening Gala will be held in February and that the NACOLE Board president and staff member have been invited to attend.

OLD BUSINESS

Ledezma Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Ledezma OID case evaluation. The Commission has completed Stage II (Fact Finding, Request for Training & Investigation), Stage III (Policy and Procedure Process), and Stage IV (Deliberation and Finding Process), and Stage V (Recommendation Process). The Commission will proceed to Stage VI (Written Public Report). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts:

- said that Mr. Hauptmann had drafted the public report for Commission review.
- asked commissioners if they had had an opportunity to review it.

Commissioner Taylor:

- said that the draft did not include all the policy recommendations.

Chairwoman Roberts:

- said the policy recommendations might not be included in the draft report, but that they would be addressed separately.

Mr. Hauptmann:

- said he didn't know exactly how the recommendations would read, but that the report was still a draft.
- said it did not yet include all the recommendations but that they would be added once it was known how those recommendations would read.

Chairwoman Roberts:

- advised that, outside of public report draft, there were two policy recommendations that the Commission would be discussing.

Commissioner Taylor:

- asked how changes are to be made to the public report.

Chairwoman Roberts:

- said it could be discussed during the meeting.

Commissioner Taylor:

- said he wanted to remove 'genuine dislike of law enforcement personnel' from Page 9, which was a comment he had included in the policy recommendation he had drafted.

Commissioner Ortiz:

- expressed concern over including a policy recommendation in the report as it might be misconstrued to mean that the Commission thought the policy was lacking and contributed to the OID.

Mr. Hauptmann:

- said that a recommendation could be noted in the public report.
- said that if there was a recommendation that was not directly related to the OID incident, it could be handled outside the report process.
- advised that the Commission can make policy recommendations any time.
- noted that the policy recommendation didn't have to be attached to the public report.

Chairwoman Roberts:

- said she understood what was being said.
- noted that the less-lethal recommendation could be done in or out of the public report.

Commissioner Ortiz:

- said that he would want to make the less-lethal policy recommendation outside the public report.

Assistant Chief Vicino:

- asked if that recommendation was specific to Taser use.
- informed the Commission that RPD would be using asset forfeiture funds to purchase Tasers for all personnel.
- noted that a Chief's order would go out to advise of the policy change.

Commissioner Adams:

- said that she felt her recommendations should be connected to the Ledezma case.
- said that while she believed the officers had acted within policy, she also felt that if all the officers had had access to less-lethal devices, this incident might have been avoided.

Assistant Chief Vicino:

- expressed concern that less-lethal should be a required first option.
- noted that this would deny an officer the option of using a lethal weapon first.
- said he had grave concern over the recommendation and that it is in conflict with Graham v. Connor in reasonableness.

Chairwoman Roberts:

- asked if there was any additional discussion on the draft public report
- recommended removal of "collectively" on Page 3 as the officers had more of an independent fear rather than a collective fear.
- said there was much talk about the officers, but not what others saw.
- felt there should be more included to support the officers' testimonies, such as the statements of the neighbors.
- noted that each person saw something different and that should be included in the report

Mr. Hauptmann:

- asked where that should be inserted.

Chairwoman Roberts:

- said there was a small statement in her notes regarding witness testimony and that while it varied, the neighbors statements confirmed those made by the officers and the Explorer.
- asked Mr. Hauptmann to look at her rationale worksheet and include the statement where he felt it would fit best.
- asked commissioners if they were agreement with adding the witness testimony.
- noted that it would be added and that the updated draft report would be made available to the Commission for review.

Dunbar Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Dunbar OID case evaluation. The Commission is continuing its evaluation in Stage I (Commission Member Review) and Stage II (Fact Finding, Request for Training & Investigation) and may begin Stage III (Policy and Procedure Process). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts asked if commissioners were prepared to continue discussion of this case or move on to new business. The Commission agreed, by general consensus, to move on to new business.

Commissioner Taylor asked if the other commissioners were prepared to put their thoughts to paper in preparation for future discussion.

Chairwoman Roberts asked the commissioners if they were at a point where they could put their thoughts to paper in preparation for deliberation at the next meeting. As the commissioners said that they were, she asked that everyone be prepared for discussion and deliberation of this case at the next meeting.

NEW BUSINESS

Policy Recommendations

Discussion and action, if any, to approve

- A)** The Commission's recommendation that RPD modify Policy 4.23, Domestic Violence Policy, Subsections E.1.a and E.f.(2) and (6) to have dispatch personnel check, confirm, and / or broadcast relevant offender information pertaining to location history and / or the criminal history of the offender.

Chairwoman Roberts:

- asked if there was any discussion on the policy recommendation drafted by Commissioner Taylor.

Commissioner Taylor:

- said that the only change was the red-lined deletion with blue text addition on Page 3.

Commissioner Ybarra:

- asked Asst. Chief Vicino about the process by which a policy recommendation is adopted.

Assistant Chief Vicino:

- said that policy recommendations are given to him.
- said that Lexipol would be reviewed, as well as the policies of other departments.
- said that a decision would then be made as to what would be best for RPD.

Chairwoman Roberts:

- called for a motion to accept the policy.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the recommendation for RPD Policy 4.23 E.1.a and E.f.(2) and (6) be forwarded to Chief Diaz and be included in the Ledezma Public Report	Adams	Taylor	Taylor, Roberts Maciel, Adams	Ybarra Hawkins Ortiz	0

B) The Commission's recommendation that RPD modify Policy

- 1) 3.9 Required Equipment To Be Carried On Duty, Subsection A: adding Less Lethal Weapons Systems as No. 7
- 2) 3.23 Sworn Personnel – Equipment: adding Less Lethal Weapons Systems as Subsection E
- 3) 4.30 Use of Force Policy, Subsection H: adding language that Less Lethal Weapons be considered as a first option to officers.

Commissioner Adams:

- addressed Asst. Chief Vicino, saying that she had been trying to have the policies revised so that each officer would be required to carry a Taser.
- said that if the situation was appropriate, she felt the officer use would be able to use a less-lethal device rather than a standard weapon.

Assistant Chief Vicino:

- replied by commenting on the term "first option",
- said that, for officers, everything is a first option and that under *Graham v. Connor*, officers have to act reasonably and cannot be judged in hindsight.
- said that judgment of an officer must be based on what the officer experienced at that specific moment.
- Gave the example of someone pointing a gun at him and that if his first option is a Taser, that option doesn't work for him.
- also noted that a Taser isn't always appropriate as less-lethal.
- said he wanted officers to have all options available to them and that they use the least amount of force when possible.
- said that RPD would not accept "first option" language.
- said that officers are trained to understand what will and will not work.

Commissioner Adams:

- said she had meant that less-lethal would be available for use rather than always go directly to a gun.

Assistant Chief Vicino:

- said that RPD's policies speak to that.
- said that *Graham v. Connor* was a powerful decision and gives officers a lot of discretion.
- said that when he became an officer in 80's, they were taught to escalate, but that training today has changed and officers have a full circle of force they can go to at any time.

Commissioner Adams:

- said she became concerned when the Commission learned that officers were allowed to decide whether or not they wanted to carry a Taser.

Assistant Chief Vicino:

- said that if that was the concern, the issue was being dealt with and all uniformed officer would ultimately be required to carry a Taser.

Chairwoman Roberts:

- asked Asst. Chief Vicino what he meant by "carry."

Assistant Chief Vicino:

- said officers would be required to carry them on their bodies.
- said that because officers carry so much on their belt, it has been approved to give officers the option to choose on what side to carry the Taser or to use a thigh-mount holster.

Commissioner Ortiz:

- said that if RPD was already working on the issue, the Commission wouldn't need to make a recommendation.
- noted that he thought Commissioner Adams felt that 4.30 could be tailored to include the "reasonableness" of *Graham v. Connor*.
- said he would prefer to see RPD's revision before the Commission submitted a recommendation.

Assistant Chief Vicino:

- said the Commission is a stand-alone commission and its recommendations should be its recommendations.
- advised the Commission to stay away from using the term "first option".

Commissioner Adams:

- agreed with Commissioner Ortiz' suggestion to change the language.
- said that the Commission is an independent body.
- was glad to hear that RPD was already acting on a policy revision regarding this issue.
- felt that the recommendation should still be made with a change in the drafted language.

Chairwoman Roberts:

- asked Commissioner Ortiz if he could incorporate a change of language for the recommendation.

Commissioner Ortiz:

- said he would, but that he wouldn't vote for the policy recommendation if RPD was already taking care of the policy revision.

Chairwoman Roberts:

- noted that the suggestion for language change had been that less-lethal not be the first option, but considered as an option.

Commissioner Ortiz:

- added that the change should include language noting when non-deadly force can be used without putting officers at risk.

Commissioner Hawkins:

- said that if RPD was already addressing the issue, he didn't feel it was necessary to continue with the policy recommendation.

Commissioner Ybarra:

- said he struggled with the appropriateness of reaction to force.
- said that whatever was appropriate would have to be determined by the officer and that he didn't want officers to worry about that.
- said the main concern had been addressed by RPD if officers would now have Tasers.

Commissioner Maciel:

- said she didn't think a recommendation needed to be submitted as RPD was already taking care of the policy revision.

Commissioner Ortiz:

- said he would make a motion not to approve the recommendation.

Commissioner Adams:

- withdrew her recommendations, noting that she was okay with what RPD was doing to address the issue.
- asked Asst. Chief Vicino if the Commission would get the Chief's Order when it was distributed.

Assistant Chief Vicino:

- asked Mr. Hauptmann if these documents were being sent to him.

Mr. Hauptmann:

- said he was receiving them.
- noted that after receipt, they were posted for commissioners to review.

Chairwoman Roberts:

- asked Mr. Hauptmann about the results of his research on the 2006 policy recommendations previously mentioned by Commissioner Taylor.

Mr. Hauptmann:

- said that those were not formal recommendations made by the Commission.
- said that they were only included in the OID public reports.
- noted that he made a copy of a policy that contains requirements for supervisors and that he had spoken about it with Lt. Loftus who trains personnel.
- advised that the last formal policy recommendation submitted by the Commission was done in 2010.

Commissioner Taylor:

- said his question was answered.
- noted that he had also learned about that after reviewing a previous annual report.

Mr. Hauptmann:

- noted that his predecessor wrote "received" after the recommendation and that it was only received by RPD in the OID public report.

Commissioner Taylor:

- asked if the Commission should start over regarding the recommendations noted under the 2006 Brown OID.

Mr. Hauptmann:

- asked if Commissioner Taylor wanted to make a recommendations regarding the types of calls supervisors should respond to.

Commissioner Taylor:

- said it was not just isolated to supervisors, but also the way in which officers handled situations and the use of time as an ally.

Mr. Hauptmann:

- said he reviewed the recommendations noted under the Brown OID and noted that it said it was received, but that RPD didn't respond.
- said that his predecessor must have talked to someone at RPD because he noted responses.

Chairwoman Roberts:

- advised Commissioner Taylor that it could be agendaized for discussion at the next meeting if he wanted to pursue it.

Mr. Hauptmann:

- said he shared this with Asst. Chief Vicino and Lt. Loftus.
- said that Lt. Loftus is involved with training on this topic and could speak to the Commission about it.

Lt. Loftus:

- said that Policy 7.1 is regarding supervisors' responsibilities.
- said supervisors are sent to an 80-hour POST supervisors' school.
- said RPD also has an in-house 40-hour supervisors' school, which he teaches.
- said supervisors are taught to listen to calls.
- said that dispatchers and officers are taught what calls should require a supervisor.
- noted that Columbine changed the thought that "time is on your side."
- said RPD looks at the safety of the people involved and that scenario training is done all the time.
- noted that Chief Diaz has said he wants supervisors in the field, which also allows the supervisors an opportunity to evaluate their subordinates.
- said that when scenario training is done, officers are taught that it is okay to back away.
- agreed that it was a good thing for officers to be required to carry Tasers as they would now be trained in their use and become familiar with the device.

Commissioner Taylor:

- noted that when supervisors are present, officers have their experience from which to draw.
- said that experience is important and that incidents might be handled a different way.
- felt that RPD might have created their own emergency circumstances.
- said he had no problem with use of deadly force if the suspect had a gun or a knife, but expressed concern about this happening if the suspect had a pipe.
- said he would like to see the officers' actions slow down, especially in domestic violence incidents, and that a supervisor be present.

Lt. Loftus:

- agreed and said that supervisors are showing up at scenes more frequently.
- said that supervisors are now trying to mentor their subordinates.
- said that he is in charge of hiring and would soon have 20 young cops in the Department this year.
- noted that supervision is much more involved now.
- said that he hopes the types of situations referred to by Commissioner Taylor will decrease.

Commissioner Adams:

- supported what Lt. Loftus' comments.
- said she went on a ride-along with a supervisor who told her that's what he does.
- noted that the training must be working.

Mr. Hauptmann:

- said that not only RPD, but more agencies have more involvement by their supervisors.
- said it is critical to have supervisors in the field.
- asked how many domestic violence calls are received in a 10-hr shift.

Lt. Loftus:

- said that the number of domestic violence calls have increased and can range from verbal abuse to homicide.
- said there can be three or four incidents a night and that they aren't limited to a certain socio-economic category.

Mr. Hauptmann:

- said non-law enforcement commissioners need to know how many of these incidents occur.
- said it is critical that officers have premise history when responding to one of these calls.

Lt. Loftus:

- said that Pittsburgh had a bad incident where the premise history wasn't communicated and four officers were killed when responding to a domestic violence incident.
- said that officers must communicate with dispatch and vise-versa.

Chairwoman Roberts:

- thanked Lt. Loftus for the information.

Ledezma Officer-Involved Death (OID) Case Evaluation (Reopened)

Continue discussion and action, if any, on the Ledezma OID case evaluation. The Commission has completed Stage II (Fact Finding, Request for Training & Investigation), Stage III (Policy and Procedure Process), and Stage IV (Deliberation and Finding Process), and Stage V (Recommendation Process). The Commission will proceed to Stage VI (Written Public Report). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts:

- reopened Ledezma to ask Mr. Hauptmann about the results of his research on Commissioner Ortiz' question about best practice of other departments regarding their actions to identify subjects with mental illness.

Mr. Hauptmann:

- said that RPD is very aligned with Lexipol and consistent with most other agencies.
- said that 95% of agencies in California use Lexipol.

Commissioner Taylor:

- asked about additional evidence associated with the case that commissioners haven't yet been able to review.

Mr. Hauptmann:

- said that information had been redacted.

Commissioner Taylor:

- said it may have been the audio recordings from the incident.

Mr. Hauptmann:

- said that those recordings are not released to the public.
- Advised that those recordings will be available to the Commission during the administrative review.

Commissioner Taylor:

- Said there was a question as to the recordings' existence.

Mr. Hauptmann:

- Said they exist, but are not currently available for the Commission during its public review of the case.
- Said he could listen to recordings if the Commission felt that was necessary.

Chairwoman Roberts:

- Said that, regarding the mental health issue, she wanted to remind commissioners of the upcoming mental health forum.

Staff Report

Mr. Hauptmann had nothing to report. He asked that if commissioners has anything to add to the Ledezma Public Report or if they had any changes to suggest, to let him know so that the changes could be made. He noted that the updated version would be made available for review.

Chairwoman Roberts asked that any suggested changes be sent to both Mr. Hauptmann and Ms. Sherron.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Commissioner Adams said she wanted to add her NACOLE Conference attendance and participation in the Mission Inn 5K Run to Outreach.

Commissioner Ortiz congratulated the November 12th "Give Big" Riverside Campaign that raised over \$300,000 for Riverside charities. He noted his affiliation with Greater Riverside "Dollars for Scholars" and said that they raised money for this also.

Chairwoman Roberts commented on Vivian Stancil's Olympian Foundation. She noted that Ms. Stancil is an Olympic swimmer and that a gala fundraiser will be held on January 24, 2014 at the Canyon Crest Country Club. The event is to raise money for keeping seniors and children fit. The cost is \$50 for dinner and dessert.

Items for Future Commission Consideration

There were no items for future Commission consideration.

Adjournment

The Commission adjourned at 7:40 PM.

Respectfully submitted,

PHOEBE SHERRON
Sr. Office Specialist

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